



State of Washington
Application for a Water Right

Please follow the attached instructions to avoid unnecessary delays.

For Ecology Use

Fee Paid 10.00

Date 4-3-00

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name Skookum Chuck Water Association Home Tel: (360) 354-4358
Mailing Address 670 Polinder Road Work Tel: () -
City Lynden State WA Zip+4 98264 + FAX: () -

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

☐ Same as above

Name Brad DeHaan Home Tel: () -
Mailing Address 1605 Van Dyk Road Work Tel: (360) 354-4260
City Lynden State WA Zip+4 98264 + FAX: (360) 354-0486
Relationship to applicant Director of Water Assoc.

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 350 450 PM (☐ gallons per minute or
☐ cubic feet per second) from a ☐ surface water source or ☒ ground water source (check only one) for the purpose(s)
of Domestic- supplemental to existing water right. ATTACH A "LEGAL"
DESCRIPTION OF THE PLACE OF USE. (See instructions.) NOTE: A tax parcel number or a plat number is not
sufficient. Multiple domestic supply contained
Estimate a maximum annual quantity to be used in acre-foot per year: 300 acre-ft./year

☐ Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed:

From / / to / /

Section 4. WATER SOURCE

If SURFACE WATER	If GROUNDWATER
Name the water source and indicate if stream, spring, lake, etc. If unnamed, write "unnamed spring," "unnamed stream," etc.:	A permit is desired for <u>2</u> well(s). Well #1= s01 Well #3= s03
Number of diversions: <u> </u>	
Source flows into (name of body of water):	Size & depth of well(s):

LOCATION

Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner: s01 is 1110 feet East and 105 feet South of North Quarter of sec.2/s03 is 62 feet East 12 feet South of Well s01

1/4 of	1/4 of	Section	Township	Range (E/W)	County	If location of source is platted, complete below:		
						Lot	Block	Subdivision
NW	NE	02	39	03E	Whatcom			
NW	NE	02	39	03E	Whatcom			

For Ecology Use Date Received: 4-3-2000 Priority Date: 4-3-2000
SEPA: Exempt/Not Exempt FERC License # Dept. Of Health #
Date Accepted As Complete 4-10-2000 By AB Date Returned By WRIA: 1

Section 5. GENERAL WATER SYSTEM INFORMATION

- A. Name of system, if named: Skookum Chuck Water Assoc.
- B. Briefly describe your proposed water system. (See instructions.)
See Attached
- C. Do you already have any water rights or claims associated with this property or system? ☒ YES ☐ NO
PROVIDE DOCUMENTATION.
Water Right #03641 / G1*03784C

Section 6. DOMESTIC/PUBLIC WATER SUPPLY SYSTEM INFORMATION (Completed for all domestic/public supply uses.)

- A. Number of "connections" requested: 575 Type of connection ERUS
(Homes, Apartment, Recreational, etc.)
- B. Are you within the area of an approved water system? ☐ YES ☒ NO
If yes, explain why you are unable to connect to the system. *Note: Regional water systems are identified by your County Health Department.*

Complete C. and D. only if the proposed water system will have fifteen or more connections.

- C. Do you have a current water system plan approved by the Washington State Department of Health? ☐ YES ☒ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.
- D. Do you have an approved conservation plan? ☐ YES ☒ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.
*Currently compiling Water System and Conservation Plans.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION (Completed for all irrigation and agriculture uses.)

- A. Total number of acres to be irrigated: 0
- B. List total number of acres for other specified agricultural uses:
Use _____ Acres _____
Use _____ Acres _____
Use _____ Acres _____
- C. Total number of acres to be covered by this application: _____
- D. Family Farm Act (Initiative Measure Number 59, November 3, 1977)
Add up the acreage in which you have a controlling interest, including only:
‡ Acreage irrigated under water rights acquired after December 8, 1977;
‡ Acreage proposed to be irrigated under this application;
‡ Acreage proposed to be irrigated under other pending application(s).
1. Is the combined acreage greater than 2000 acres? ☐ YES ☒ NO
2. Do you have a controlling interest in a Family Farm Development Permit? ☐ YES ☒ NO
If yes, enter permit no.: _____
- E. Farm uses:
Stockwater - Total # of animals 5,000 Animal Type dairy cattle (If dairy cattle, see below)
Dairy - # Milking 5,000 # Non-milking 0

Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water?

☐ YES ☒ NO

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point, and some portion of the storage will be above grade, you must also apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site.

See attached

Section 10. REQUIRED MAP

A. Attach a map of the project. (See instructions.)

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used?

☐ YES ☒ NO

If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

Purveyor- The water will be used on property served by the
Skookum Chuck Water Association. See attached for a legal
description of the lands served by the Association.

B. Does the applicant own the land on which the water source is located?

☐ YES ☒ NO

If no, submit a copy of agreement:

Leased from Whatcom County, the legal owner.

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.

Brad DeHaan
Applicant (or authorized representative)

2-15-00
Date

Brad DeHaan, Director of Skookum Chuck Water Assoc.

Whatcom Co.
Landowner for place of use (if same as applicant, write "same")

2-22-00
Date

Whatcom Co.

Use this page to continue your answers to any questions on the application. Please indicate section number before answer.

We are returning your application for the following reason(s):	
_____ Examination fee was not enclosed	APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98509-5128
_____ Section number(s) _____ is/are incomplete	APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE
Explanation: 	
Please provide the additional information requested above and return your application by _____ _____ (date).	

Ecology staff _____ Date _____

Ecology is an Equal Opportunity and Affirmative Action employer.

To receive this document in alternative format, contact the Water Resources Program at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).

3. STATEMENT OF INTENT

Legal Description of the place of use:

Area served by the Skookum Chuck Water Association South of the Nooksack River within Secs. 21, 26, 27, 28, and 29; SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 30; E $\frac{1}{2}$ of the E $\frac{1}{2}$ of Sec. 31 and Secs. 32, 33, 34, and 35; All in T. 40 N, R. 3E W.M. Also including N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 2; N $\frac{1}{2}$ of the N $\frac{1}{2}$ of Sec. 3; All in T. 40 N, R. 3E W.M.

5. GENERAL WATER SYSTEM INFORMATION

B. Describe Water System:

The Skookum Chuck Water Association serves about 100 farms and residential connections over a large rural area located south of Lynden and the Nooksack River. It was originally constructed for 35 connections in the 1950's but was then expanded. It now consists of two systems, called the Van Dyk system and the Huisman system, which are interconnected but operate independently from each other in different pressure zones. The larger Van Dyk system has a separate water right. This application is to increase the existing water right in order to provide water to future users within Skookum Chuck Water Association's existing service area.

The Van Dyk system includes two shallow wells, a disinfection system, a pressure tank, and an engine driven back-up well pump. Within the next year a Water System Plan and construction documents will be submitted for upgrades to the system that include site work, building two concrete above ground storage tanks, a booster pump station, installation of source meters, and construction of a building to house pumps, electrical equipment and back-up generator,.

The wells are located close to each other and well #1 (source S01) is rated at 260 gpm while the newer well #3 (source S03) is rated at 120 gpm. The existing water right for well #1 (permit #03641, DOE control # G1*03784C) allows for use of 240 gpm or 224 acre-feet per year. A Change of Water Right form has been submitted to allow for well #3 as an alternative point of withdrawal.

9. DRIVING DIRECTIONS

Drive north on I-5 past Bellingham to exit 270, the exit for Birch Bay Lynden Road. Head east on Birch Bay Lynden Road. Before reaching Lynden, turn right and head south on the Guide Meridian Road (Highway 539). Turn left and head east on Wiser lake Road for one and a half miles until turning left (north) onto Huisman Road. Turn right onto Van Dyk Road and head south and east for approximately 4 miles until reaching the Van Dyk Well Site on the south side of the road, approximately 900 feet east of Mecklem Road.

10. PROPERTY OWNERSHIP

A. Legal description of lands where water is presently used:

Area served by the Skookum Chuck Water Association, South of the Nooksack River within Sections. 21, 26, 27, 28 and 29; SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30; E $\frac{1}{2}$ of the E $\frac{1}{2}$ of Section 31 and Sections 32, 33, 34, and 35; All in Township 40 N, Range 3 E W.M. Also including N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 2; N $\frac{1}{2}$ of the N $\frac{1}{2}$ of Section 3; All in Township 40 N, Range 3 E W.M.

2313

CERTIFICATE RECORD No. 5 Page No. 2313ST. OF WASHINGTON, COUNTY OF Whatcom**Certificate of Ground Water Right**

Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the State Supervisor of Water Resources hereunder.

THIS IS TO CERTIFY That SKOOKUM CHUCK WATER ASSOCIATION, INC.
 of Lynden, Washington, has made proof
 to the satisfaction of the State Supervisor of Water Resources of Washington, of a right to the use of
 the ground waters of a Well
 located within Government Lot 2, Sec. 2, Twp. 39 N., Rge. 3 E.W.M.

for the purpose of domestic supply
 under and subject to provisions contained in Ground Water Permit No. 3641 issued by the State
 Supervisor of Water Resources and that said right to the use of said ground waters has been perfected
 in accordance with the laws of Washington, and is hereby confirmed by the State Supervisor of Water
 Resources of Washington and entered of record in Volume 5 at page 2313;
 that the right hereby confirmed dates from October 18, 1954; that the quantity of ground
 water under the right hereby confirmed for the purposes aforesaid, is limited to an amount actually
 beneficially used for said purposes, and shall not exceed 240 gallons per minute; 224 acre-
feet per year for domestic supply. ~~XXXXXXXXXXXXXXXXXXXX~~

A description of the lands to which such ground water right is appurtenant, and the place where
 such water is put to beneficial use, is as follows:

Property served by Skookum Chuck Water Association, Inc.

The right to the use of the ground water aforesaid hereby confirmed is restricted to the lands or
 place of use herein described, except as provided in Sections 6 and 7, Chapter 122, Laws of 1929.

WITNESS the seal and signature of the State Supervisor of Water Resources affixed this
12th day of August, 1955.

M. B. Walker
 State Supervisor of Water Resources.

EMILY L. BELL

[Signature]

RETURN TO:
DIV. OF WATER RESOURCES
406 TRANSPORTATION BLDG., OLYMPIA

RECORD BY WELL DRILLER OR OTHER CONSTRUCTOR OF WORK FOR WITHDRAWAL OF GROUND WATER

Under Permit No. G. W. _____

("The well driller or other constructor of works for the withdrawal of public ground waters shall be obligated to furnish the permittee a certified record of the factual information necessary to show compliance with the provisions of this section." Sec. 8, Chap. 263, Laws of 1945.)

1. SUCKUM CHUCK WATER ASSOCIATION, Land, Steel R#2
(Name and address of owner of well or other works for withdrawal of water)

2. Type; name or number of works where water is taken well
(Well, tunnel or infiltration trench)

3. Date on which work on well or other structure was started aug 15 1954

4. Date on which work was completed aug 25 1954

5. If work on well or other structure was abandoned, give date
and reason for abandonment _____

6. DESCRIPTION OF WORKS:

(a) WELL: Depth 3.7 ft. Diameter 3.6 in. or ft. Dug or drilled dug (Hydraulic)

Flowing or pump well pump

If PUMP WELL: Type and size of pump is 4" centrifugal

Type and size of motor or engine is 30 hp gas

Depth from ground surface to water level before pumping 12 feet

After continuous operation for 4 hours, the measured discharge of the pump is

250 g.p.m., and the drawdown of water level is 10 feet
(At least four)

Recovery data (taken after pump has been shut off) (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level
<u>0</u>	<u>22</u>	<u>1 hr</u>	<u>12'4"</u>

Date of test aug 25 1954

If FLOWING WELL: Measured discharge _____ g.p.m. on _____ (Date)

Shut-in pressure at ground surface _____ lbs. per sq. in. on _____ (Date)

Water is controlled by _____ (Cap, valve, etc.)

CASING: (Give diameter, commercial specifications and depth below ground surface of each casing size.)

_____ in. diameter	<u>open joint</u>	from <u>Top</u> to <u>4</u> ft.
<u>3.6</u> in. diameter	<u>concrete pipe</u>	from <u>4</u> to <u>24</u> ft.
<u>3.6</u> in. diameter	<u>wooden filter</u>	from <u>24</u> to <u>32</u> ft.
_____ in. diameter	_____	_____ to _____ ft.

Describe and show depth of shoe, plug, adapter, liner or other details:

10/1/54

250 $\frac{1}{4}$ " by 1"

(Number per foot and size of perforations, or describe screen)

from 24 to 32 ft

from _____ to _____ ft.

from _____ to _____ ft

from _____ to _____ ft

from _____ to _____ ft

LOG OF WELL OR TUNNEL: (Describe each stratum or formation clearly, indicate if water bearing and give thickness and depth as indicated.)

[illegible]

(b) INFILTRATION TRENCH OR TUNNEL: Type

Dimensions:

(Tunnel—length, course, and cross-sectional size)

(Trench—minimum and maximum depths)

Bottom width _____ ft. Discharge $\frac{1}{2}$ g.p.m. Date of test _____

Position of water bearing stratum with reference to portal of tunnel

Don Grubb

(Signature of well driller or other constructor)

du m... W...

(Address

STATE OF WASHINGTON,

County of W. Halecom

I, Don Brulha, being first duly sworn, do hereby certify that I am the driller or constructor of the aforesaid well or tunnel or trench who furnished the foregoing statement of facts; that I have read said statement and each and all of the items therein contained are true to the best of my knowledge and belief.

Don't mind it

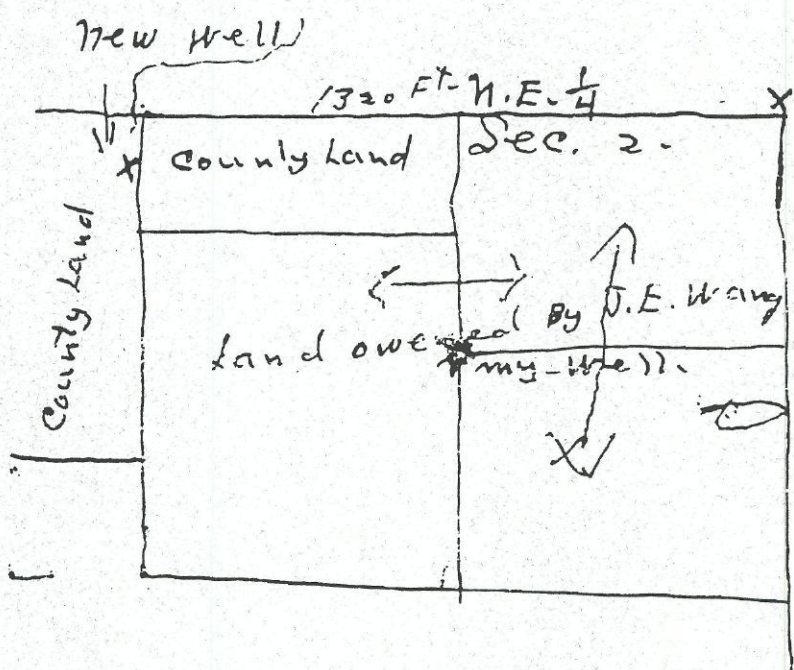
(Signature)

Subscribed and sworn to before me this 21st day of June 1902

, 195.....

NOTARIZATION NOT NECESSARY

Notary Public



1157

SECTION PLAT

Sec. 2

Twp.

39 N

N. R.

3 E. W. M.

Waiser Lake Road

To Emerson
3 mi.

* Well site

Gov't. Lot 2

Gov't. Lot 1

Existing well

W

2

E



5

Show by a cross (X) the location of the well or other works covered by the application. Show by circle (O) the locations of other wells or works within a quarter of a mile. Also indicate traveling directions from nearest town on main highway.

Scale: 1 inch = 800 feet.

2 mi. South of Lynden on Horregeyars Road
and 2 1/2 mi. East on Waiser Lake Road.

3794

Proof of Appropriation of Water

Application No. 3784

Permit No. 3641

1. Name of Permittee SKOOKUM CHUCK WATER ASSOCIATION
2. Postoffice address Lynden, Wash R#2 Box 161
3. Source of appropriation Well
4. Name or number of works (if any) One
5. For what purpose or purposes is water used? Domestic
6. Give date of beginning of construction Aug 15, 1954
7. Give date of completion of construction work, including water distribution system Sept 1, 1955
8. Give date when water was completely applied to proposed use Sept 1, 1955
9. If used for irrigation:
Give number of acres described in permit _____
Give number of acres actually irrigated _____
10. If used for power: HP actually developed _____
11. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED:

RECEIVED
AUG 9 1955
DEPARTMENT OF
CONSERVATION & DEVELOPMENT

12. During what months is water used? 12 months per year
13. Does map filed with your application show correctly the location of well or point of diversion for withdrawal of water, and area of land where water is used? yes
14. If the dimensions, location or type of structure do not correspond to those described in your permit, state what changes have been made, giving dimensions, etc. _____
15. Actual measured discharge or diversion of permanent system: 400 gal (gpm or cfs)

on like permit
THH

(Sign certification on reverse side)

STATE PRINTING PLANT OLYMPIA, WASHINGTON

STATE OF WASHINGTON,
County of Whatcom } ss.

I, Wm C. Noteboom, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation; that I know the contents thereof; and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 15 day of July, 1950

Wm C. Noteboom

Subscribed and sworn to before me this 15 day of July, 1950

Charles V. Williamson
Notary Public.

STATE OF WASHINGTON
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
DIVISION OF WATER RESOURCES

Permit to Appropriate Public Ground Waters
of the State of Washington

Book No. 8 of Ground Water Permits, on page 1641 under Application No. 3784

SEKOKUM CHUCK WATER ASSOCIATION, INC.

of Lynden, Washington

is hereby granted a permit to appropriate the following described public ground waters of the State of Washington, subject to existing rights, and to the limitations and provisions set out herein.

Priority date of this permit is October 18, 1954

Source of the proposed ground water appropriation is a well
within _____ area, _____ sub-area
_____ zone. Name or number of works is _____

Quantity of water appropriated shall be limited to the amount which can be beneficially applied and not to exceed 240 gallons per minute; 224 acre-feet per year, to be used for the following purposes: domestic supply

as more definitely set out below.

Location of the well, tunnel, or infiltration trench is East 1094 feet and South 104 feet from north quarter corner of Sec. 3

being within Government Lot 2, Sec. 2, Twp. 39 N., Rgv. 3 E.W.M.
county of Whatcom

Use, or uses to which water is to be applied:

For municipal supply: _____ gallons per minute; _____ acre-feet per year,
to supply _____

For irrigation: _____ gallons per minute; _____ acre-feet per year,
for the irrigation of _____ acres.

For miscellaneous uses: 240 gallons per minute; 224 acre-feet per year,
for domestic supply.

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Property served by Sekokum Chuck Water Association, Inc.

1203

DESCRIPTION OF WORKS FROM WHICH WATER IS TO BE WITHDRAWN

The well will be drug and have a diameter of 36 inches, and depth of 32 feet.
(Dug or drilled)

Description of tunnel or infiltration trench:

(Please read carefully provisions below)

Particular specifications required by the Supervisor of Water Resources:

Construction work shall begin on or before Started

and shall thereafter be prosecuted with reasonable diligence and completed on or before Completed

and complete application of water to proposed use shall be made on or before June 1, 1956

Given under my hand and the seal of this office at Olympia, Washington, this 3d day of

June, 19 55.

M. B. Walker
State Supervisor of Water Resources

Report on Examination on Ground Water

Received date 12-19-64 Date of exam. 3-2-65 Appli. No. 3734
 Name Strookum Chuck Water Assn. Inc. Address Lynden, Wash.
 Type of works well Dimensions 26" x 20'
 Progress of works complete and in use
 Quantity 234 g.p.m. _____ acre-feet per year
 applied for _____
 Legal sub. Lot 2 Sec. 8 Twp. 32 N. Rge. 5 E. County Shannon
 Use domestic supply for community
 Irrigation-acreage: Present 0 Planned 0 Feasible 0
Riverside-Greenwood
WYMER Population 800 as of 1974
 Industrial _____
 Time pump will be operated continuously
 Other water rights appurtenant to this land _____
 Proximity to existing works, springs, wells, or streams Thos. F. Bailey 7. 1/8 mile

Area _____ Sub-area _____ Zone _____

RECOMMENDATIONS

Approved for 640 g.p.m. 324 acre-feet per year, subject to existing

water rights. (1 acre-foot 325,850 gallons.)

The applicant will furnish information to this office as to the size and type of equipment installed and the gallons per minute furnished.

The water requirements of this permit are calculated on an average per capita consumption of 850 gallons per day or a total of 234 acre-feet for an estimated population of 800 as of 1974.

This application has been protested by W. H. James, J. E. Wang, Walter F. Elder, Curt O. May and Carl Kortlever. All protestants have domestic wells in the immediate vicinity of the above described well. The protestants wells range from 10 to 20 feet in depth. All the wells, including the applicants, appear to be tapping the same aquifer.

However, the average depth of the water-bearing stratum in this area is about 30 feet. Consequently, the protestants wells do not penetrate this water zone to a sufficient depth to afford the maximum beneficial use.

In accordance with the State of Washington Ground Water Code all the protestants have a right to withdraw up to 8000 gallons per day for domestic purposes from this water zone with a priority of the date of first use. In that all the protestants wells were in use prior to the filing of an application by the Strookum Chuck Water Assn. Inc., their rights are superior.

However, this office could not regulate for wells which were withdrawing water above the level necessary for the maintenance of a safe sustaining yield from this ground water body. This would necessitate pump settings at least 25 feet below the ground surface.

The additional withdrawals from wells and the increased drainage practices in this vicinity as well as periods of subnormal recharge, are all factors which would tend to lower the water table. Consequently, wells which utilize only the top surface of this ground water body could be adversely affected during critical seasons, without a serious depletion of the available supply.

From the data at hand, it appears that sufficient water is available to supply the withdrawal requested in this application without exceeding the annual recharge of this aquifer. Therefore, permit should issue as requested.

Signed this 19th day of April, 1955

Stuart E. Sherman
STUART E. SHERMAN, Engineer
Division of Water Resources

JAN 9 1986

Whatcom County Public Works Dept.

1526580

DEC 26 1985

LEASE

On this 2d day of Jan., 1986, this agreement is entered into between WHATCOM COUNTY, a municipal corporation of the State of Washington, hereinafter referred to as Lessor, and SKOOKUM CHUCK WATER ASSOCIATION, INC., a non-profit corporation organized under the laws of the State of Washington, hereinafter referred to as the Lessee.

WITNESSETH

The two parties originally entered into a lease on October 19, 1954, for the lease of certain described property to allow the Lessee to maintain its community water system. Since that time, it has become apparent that the Lessee requires additional land in order to insure the integrity of its water system. The Lessor has land contiguous to this water system and agrees with the Lessee that additional land would benefit the Lessee. Therefore, both parties stipulate and agree that this agreement shall supersede the original agreement entered into on October 19, 1954, and that all of the terms and conditions of that original lease shall become null and void upon the completion of this agreement.

In consideration of the following covenants and agreements on the part of the Lessee contained within this lease and upon the timely payment of the required consideration, the Lessor hereby agrees to lease unto the Lessee the following described real property situate in Whatcom County:

The West 295 feet of the North 295 feet
of the East 10 acres of Government Lot 2,
Section 2, Township 39 N, Range 3 E, of
W.M., except roads.

This Lease shall be for a term beginning upon the execution of this agreement, and ending on the 31st day of December 2004. In addition, this Lease may be extended for a period of twenty-five (25) years until December 31, 2029,

by giving written notice to the other party at least thirty (30) days prior to the termination of this agreement. The extension or renewal shall upon the same terms and conditions as this lease, except that the parties shall agree upon a mutually acceptable rental rate. If the parties are unable to reach an agreement concerning the rental rate, then this Lease shall elapse.

The rental which Lessee agrees to pay the Lessor and which the Lessor agrees to accept from the Lessee for the term of this agreement shall be One Hundred Dollars (\$100.00) per year payable on or before the last day of the year.

It is agreed that the premises shall be used by the Lessee for the purpose of maintaining and operating a community water system and for no other purpose without the prior written consent of the Lessor.

It is further agreed that the Lessee shall construct a fence on the demised property to designate clearly the area contained in this agreement. All costs of construction and maintenance of this fence shall be borne by the Lessee. The fence shall be constructed out of materials and in design approved by the Lessor. Approval of materials and design shall not be unreasonably withheld by the Lessor.

All improvements on the demised premises shall be at the sole risk of the Lessee and the Lessor or its agents shall not be liable for injury or damage to persons or property sustained by the Lessee or other persons due to the happening of any accident or casualty from any cause whatsoever in and on the demised premises or resulting from the use thereof unless said injury or accident is solely caused by the negligence of the Lessor.

The primary responsibility of maintaining the appearance of the premises is the responsibility of the Lessee, however, if the Lessee fails or

neglects to carry out this obligation, the Lessor reserves the right to enter upon said premises and to maintain the landscape in good order and appearance. The Lessor further reserves the right independent of what has already been established to enter said premises to remove poles and timber.

This lease shall not be assigned by the Lessee or by operation of law or otherwise without first obtaining the written consent of the Lessor. It is further agreed and understood that said written consent shall not be given unless said assignment requires the subsequent party to be bound by all of the terms and conditions of this agreement including but not limited to this restriction on further assignment.

If any rents established above or any part thereof shall remain unpaid for a period of fifteen (15) days when the same has become due, or if the Lessee shall violate or default in any of the covenants or agreements contained herein, then upon fifteen (15) days written notice to the Lessee indicating the defects and demanding that they be remedied and the time for such remedy having elapsed and the defect remaining, it shall be optional for the Lessor to declare this Lease forfeited and the said term ended, and to re-enter said premises, and no liability shall attach to Lessor for damages by such re-entry or forfeiture. Upon such re-entry this Lease shall be terminated and all terms and conditions under said Lease shall terminate.

The failure of the County to insist upon strict performance of any of the covenants or agreements of this Lease or to exercise any option herein conferred in any one or more instances shall not be construed to be a waiver or relinquishment of any such, or any other covenants or agreements, but the same shall be and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this instrument in duplicate on this 21 day of Jan., 19 86.

LESSOR:

WHATCOM COUNTY,
A MUNICIPAL CORPORATION

By: Shirley Van Zant
SHIRLEY VAN ZANTENT
County Executive

ATTEST:

Carol Ebergson
CAROL EBERGSON
Clerk of the Council

APPROVED AS TO FORM:

Randall J. Watts
RANDALL J. WATTS
Deputy Prosecuting Attorney

LESSEE:

SKOOKUM CHUCK WATER
ASSOCIATION, INC.
a non-profit corporation of
the State of Washington

By: John R. Piber
its President

STATE OF WASHINGTON)
COUNTY OF WHATCOM) ss.

I, certify that I know or have satisfactory evidence that John R. Piber signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the President of SKOOKUM CHUCK WATER ASSOCIATION, INC. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 23 day of Dec, 19 85.

Marlene C. Harmon
NOTARY PUBLIC in and for the
State of Washington, residing
at Bellingham

My appointment expires: 5/26/85

ROAD - N^o 276 = 40'

VAN DYK ROAD

H. DE RAAD

X328
Y545

1.0-A
1.20

X312
Y016

4.00-A
1.3

R. WRIGHT

X319
Y465

5.00-A
1.36

S. BOUWMAN

X350
Y491

9.28-A

1.7

X385
Y548

1.87-A
1.27

X384
Y527
1.0-A
1.28

T. P. IRVING

X391
Y502

X377
Y487
1.26

2.46-A
1.32

X377
Y475
1.33

R. JOHNSON

X386
Y460

2.11-A
1.29

R. JOHNSON

X383
Y437
1.00-A
1.43

WHATCOM COUNTY

X417
Y493

10-A

COUNTY GRAVEL PIT

X465
Y543

5-A
1.1

G. SIMHAUSER / W. G. DOEN



1" = 200'

X469
Y469

41.93

E

J. C. HARDIN

X328
Y407

3.00-A
1.24
1.40

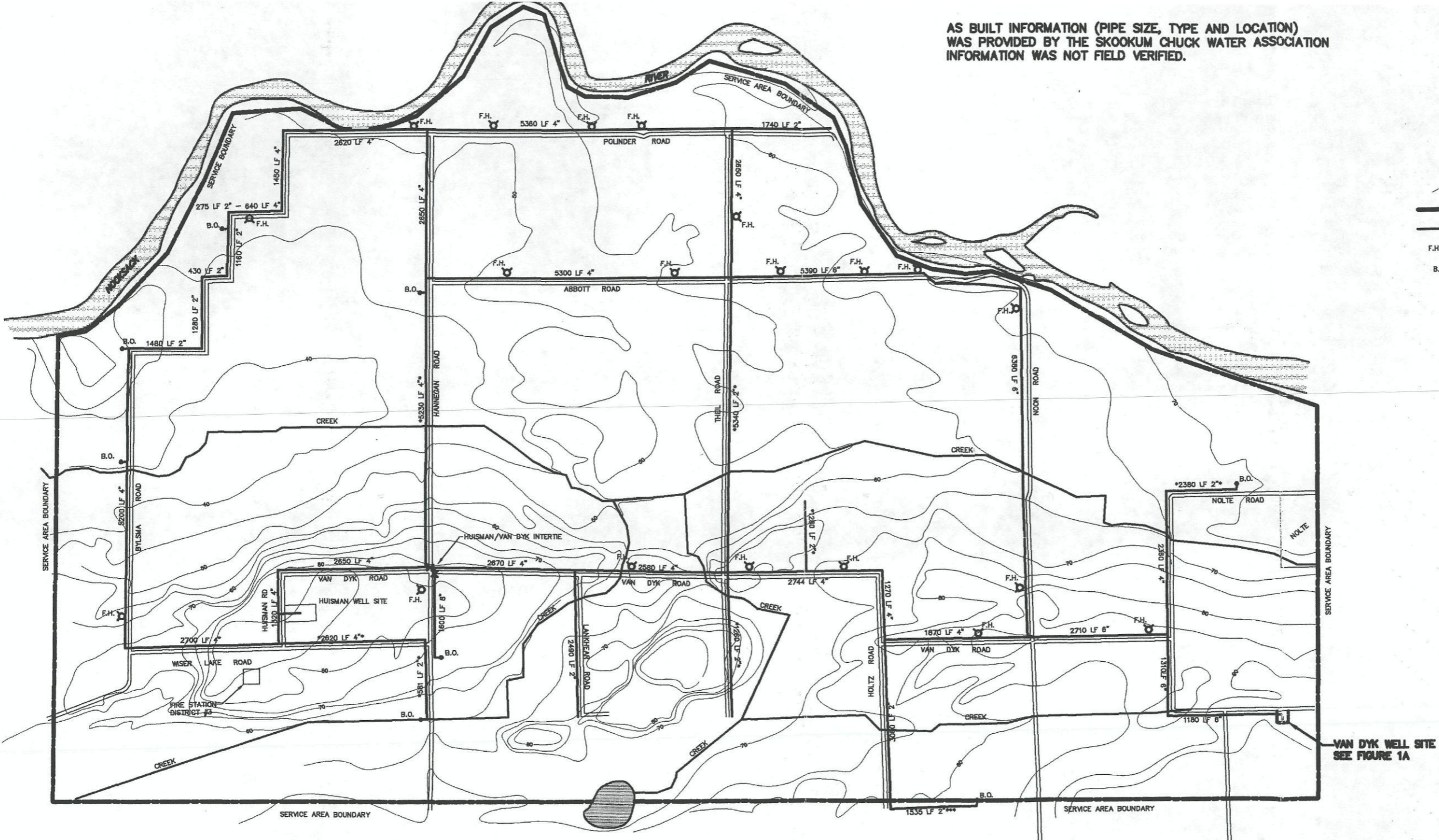
1	2	3	4	5	6	7	8	9
X377 Y428	X377 Y421	X388 Y423	X395 Y423	X402 Y422	X409 Y422	X416 Y422	X423 Y421	X420 Y421

ROEDER LANE

10	11	12	13
X376 Y407	X380 Y406	X407 Y406	X421 Y406
X376	X387	X407	X406

KUDSK 134

AS BUILT INFORMATION (PIPE SIZE, TYPE AND LOCATION)
WAS PROVIDED BY THE SKOOKUM CHUCK WATER ASSOCIATION
INFORMATION WAS NOT FIELD VERIFIED.



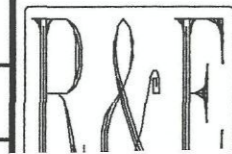
LEGEND

- EX. CONTOUR
- SERVICE AREA BOUNDARY
- EX. WATERLINE
- F.H. FIRE HYDRANT
- B.O. BLOW OFF VALVE



SKOOKUM CHUCK WATER ASSOCIATION
LYNDEN, WASHINGTON

DESIGNED BY
GDE
DRAWN BY
CJT/ATD
CHECKED BY



REICHHARDT & EBE
ENGINEERING, INC.
CONSULTING ENGINEERS

AS BUILT PLAN
AND SERVICE AREA BOUNDARY

JOB# / DWG
3018/ -ServiceArea
SCALE

DATE
2/15/00
SHEET